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Patent and Trademark Office

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/295,288 04/20/99 FARGAND

M	16100SW-0487
EXAMINER	

022193 TM02/0627  
QWEST COMMUNICATIONS INTERNATIONAL INC  
LAW DEPT INTELLECTUAL PROPERTY GROUP  
1801 CALIFORNIA STREET, SUITE 3800  
DENVER CO 80202

ART UNIT	SSBUTKA	PAPER
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2683

DATE MAILED: 06/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

21.18

# Office Action Summary

Application No.

09/295,288

Applicant(s)

FARGANO ET AL.

Examiner

Philip J. Sobutka

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1,2,5,6,8,9,11-13,18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mirza et al (US 5,991,616).

Consider claims 1,19. Mirza teaches a system comprising control logic connected to a wireless network configured to generate a wireless call detail record in response to placement of a wireless call from a call source having an identity; additional control logic connected to a wire line network, the logic configured to generate a wire line call detail record; and an operation support system having call detail record control logic configured to receive the wireless call detail record from the access manager control logic to receive the wire line call detail record from the switch control logic and to combine wireless and wire line call detail records that correspond to the same customer into an integrated call record. Note that Mizra integrates the claimed wireless and wire line logic control and support systems in a single service control point, SCP (Mirza see especially fig 1, col 3, lines 13 – col 4, line 40).

As to claim 12, the system of Mirza would perform the claimed steps.

As to claims 2,13,20, note that Mirza receives the wireless data in a stream from the wireless system while the wire line data is received from the wire line system in a second stream (Mirza see especially fig 1).

As to claims 5,6, note that Mirza teaches the call data record containing a MIN (Mirza see especially col 3, lines 38-46).

As to claims 8,9, note that Mirza teaches the call data including the call source location and cal duration (Mirza see especially col 3, lines 38-46).

As to claims 11,18, note that the call detail record represents calling feature usage corresponding to the customer

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 3,10,14,17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza.

Consider claims 3,14. Mirza lacks a teaching of the wireless and wire line call records being transmitted to the manager logic from the switch using a combined message. Note that Mirza teaches the two records reaching the SCP over two different routes including the switch, but is silent as to how the combined information may be transmitted throughout the system for further processing. It would be apparent to one of ordinary skill in the art that the above difference would depend more upon engineering design considerations than on any inventive concept limitation because the overall operation of the system would not be changed by the particular routing of the combined call records. Therefore, it would have been obvious to one of ordinary skill in the art to modify Mirza as shown in the claims to combine the call records at the switch before transmission to the SCP in order to reduce the processing required at the SCP and to allow for a central location to receive all call records.

As to claims 10,17, Mirza also lacks a teaching of the call record including the call routing. Official Notice is taken that it is notoriously well known to provide information on which calls were roaming calls, i.e. routed through another carrier. It would have been obvious to one of ordinary skill in the art to modify Mirza to include roaming call information in order to ensure that the customer was aware that some of the cost of the call was out of control of the customer's system.

5. Claims 4,7,15,16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza in view of Friend (US 6,091,944).

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Consider claims 4,15. Mirza lacks a teaching of the system providing the call billing record on demand to a customer. Friend teaches a providing call billing records in response to customer demand (Friend see especially, abstract, col 1. lines 44 – 67). It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend in order to supply the customer with billing records on demand in order to allow customers to easily obtain an accurate record of expenses without having to wait until receipt of the monthly bill.

Consider claims 7,16. Mirza lacks a teaching of the call billing record including the dialed number. Friend teaches a call billing record including the dialed number. It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend to include the dialed number in order to allow the customer to easily identify the call.

### ***Specification***

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825. The examiner can normally be reached on Monday-Friday 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-872-9314

for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Philip Sobutka

pjs  
June 23, 2001

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600